



2834

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 26, 2006 Name: Sara E. Vessely Signature:

BRINKS  
HOFER  
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& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Peter L. Fraenkel

Appln. No.: 10/549,343

Examiner: Unknown

International March 24, 2004

Art Unit: 2834

Filing Date:

For: SUBMERGED WATER CURRENT  
TURBINE'S INSTALLED ON A DECK

Conf. No. 6702

Attorney Docket No: 11226/009

MAIL STOP AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

**Attached is/are:**

Disclosure of Prior Art (2 pgs.); PTO-1449 (1 pg.)  
 Return Receipt Postcard.

**Fee calculation:**

No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$	Total	\$	

**Fee payment:**

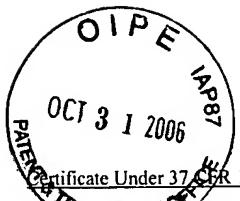
A check in the amount of \$\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

A. James Richardson (Reg. No. 26,983)

10/26/06

Date



Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 26, 2006.

  
Sara E. Vessely

PATENT

Our Case No. 11226/009

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re: patent application of	)	
Peter L. Fraenkel	)	Examiner: Unknown
Serial No.: 10/549,343	)	Group Art Unit: 2834
International	)	
Filing Date: March 24, 2004	)	Confirmation No.: 6702
For: SUBMERGED WATER CURRENT	)	
TURBINE'S INSTALLED ON A DECK	)	
	)	

**DISCLOSURE OF PRIOR ART UNDER 37 C.F.R. 1.56**

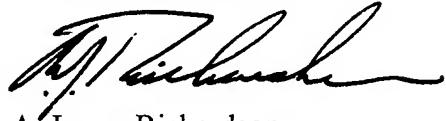
MAIL STOP AMENDMENT  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

In connection with the examination of the above-identified application, the applicant, through the subscribing attorney, hereby invites the Examiner's attention to the enclosed list of prior art.

While the attached list of prior art is believed to include the closest prior art of which the applicant is presently aware, the applicant does not represent that any search for prior art has necessarily been made nor that no better prior art exists. All the listed prior art is in the English language and therefore no explanation of its relevance is believed to be necessary. The Examiner is requested to consider the listed prior art when evaluating the patentability of the invention claimed in the present application.

Respectfully submitted,



A. James Richardson  
Reg. No. 26,983

BRINKS HOFER GILSON & LIONE  
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Fax: (317) 634-6701



FORM PTO-1449  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> (use several sheets if necessary)	APPLICATION NO. 10/549,343  INTERNATIONAL FILING DATE March 24, 2004  FIRST NAMED INVENTOR: Peter L. Fraenkel  EXAMINER NAME: Unknown	ATTORNEY DOCKET NO. 11226/009  GROUP ART UNIT 2834
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EXAMINER INITIALS	Cite No.	DOCUMENT NUMBER Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where, Relevant Passages or Relevant Figures Appear
	A1	1,560,309	11/03/1925	Petersen	
	A2	2,501,696	03/28/1950	Spuczak	
	A3	5,440,176	08/08/1995	Haining	
	A4	6,091,161	07/18/2000	Dehlsen et al.	
	A5	6,652,221 B1	11/25/2003	Praenkel	
	A6	6,756,695 B2	06/29/2004	Hibbs et al.	
	A7				
	A8				
	A9				
	A10				
	A11				
	A12				
	A13				

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
A14	WO 99/02853	01/21/1999		F03B 17/06	
A15	WO 00/50768	08/31/2000		F03B 17/06	
A16	WO 03/014561 A1	02/20/2003		F03B 13/12	
A17					

EXAMINER INITIAL	NON PATENT LITERATURE DOCUMENTS (include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	T
A18		
A19		
A20		
A21		
A22		
A23		

NOTE: For "T" – please place an "X" if an English translation is being provided to the Patent Office.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.